



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review

Land Use Administration Division

900 E. Broad Street, Room 511

Richmond, Virginia 23219

(804) 646-6304

<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- ☒ **special use permit, new**
☐ **special use permit, plan amendment**
☐ **special use permit, text only amendment**

Project Name/Location

Property Address: 2906 Fifth Avenue Date: _____

Tax Map #: N0000923001 Fee: \$2,400

Total area of affected site in acres: 1.023

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-6

Existing Use: vacant land

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Fifty-two (52) multifamily dwelling units

Existing Use: vacant land

Is this property subject to any previous land use cases?

Yes

☐

No

☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Mark Baker / Charlie Wilson

Company: Baker Development Resources

Mailing Address: 530 East Main Street, Suite 730

City: Richmond State: VA Zip Code: 23219

Telephone: (804) 822-5428 Fax: ()

Email: markbaker@bakerdevelopmentresources.com / charlie@bakerdevelopmentresources.com

Property Owner: Clean Livin LLC

If Business Entity, name and title of authorized signee: _____


(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 13278 Depot Road

City: Hanover State: VA Zip Code: 23069

Telephone: (804) 371-9392 Fax: ()

Email: danielp@widespreadsolutions.net

Property Owner Signature: 

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

APPLICANT'S REPORT

December 2nd, 2021

*Special Use Permit Request
2906 Fifth Avenue, Richmond, Virginia
Map Reference Number: N-000-0923/001*

Submitted to:	City of Richmond Department of Planning and Development Review Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	Mark Baker Baker Development Resources 530 East Main Street, Suite 730 Richmond, VA 23219

Introduction

The applicant is requesting a special use permit (the “SUP”) for the property known as 2906 Fifth Avenue (the “Property”). The SUP would authorize the construction of a 52-unit multifamily dwelling along with accessory uses.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the southern side of East Brookland Park Boulevard at its intersection with Rady Street, and is referenced by the City Assessor with a tax parcel number of N000-0923/001. The Property also has frontage on Fifth Avenue. However, the subject block of Fifth Avenue is an unimproved right of way with significant topography and undisturbed foliage. The Property’s improved street frontage is located at the intersection of East Brookland Park Boulevard and Rady Street. The Property includes approximately 1.023 acres (44,562 square feet) of land area according to records of the City Assessor, and is depicted below in Figure 1.



Figure 1: Property (in green) relative to Six Points neighborhood.

The Property consists of Lots 5 through 15 of Block “D” of the original “Highland Park Addition” subdivision. These original subdivision lots are arranged according to the historic lot pattern in the vicinity, where homes generally front onto the north-south avenues and commercial/institutional

structures front onto East Brookland Park Boulevard or Rady Street. However, Fifth Avenue has never been improved and, as a result, the lots were never developed according to that lot pattern.

EXISTING ZONING

The Property is zoned R-6 Single-Family Attached, which permits single- and two-family dwellings, but does not permit multi-family dwellings. The Property abuts properties zoned UB Urban Business PE-8 Meadowbridge Road and Six Points Parking Exempt Overlay district, which permits multifamily use subject to certain feature requirements. Properties to the East, across Fifth Avenue and Rady Street, are zoned I-Institutional district.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the “Master Plan”) suggests “Residential” use for the Property. This future land use designation allows for a variety of housing types of varying densities. This designation also encourages developments that reinforce a gridded street pattern to increase connectivity. Multifamily dwellings (3-10 units) are contemplated as a secondary use, however that unit count suggestion likely does not contemplate properties comprised of more than one acre and minimal improved frontage—as is the case with the Property.

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request:

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to “Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options.”
 - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to “Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers.”
 - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to “Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city.”
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.4 to “Increase the number of mixed-income communities along enhanced transit corridors.”
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to “Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance.”
- Page 155 (Inclusive Housing Chapter), Objective 14.8 to “Develop inclusionary and equitable housing options for our gentrifying neighborhoods to prevent involuntary displacement.”
- Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”

- a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- Page 86 (High-Quality Places Chapter), Objective 1.4, to “maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards.”
- Page 100 (High Quality Places Chapter), Objective 4.1, to “create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City,” as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

In addition, and in reference to some of the above items, the Property also lies within the Six Points Neighborhood Node, which is described by the Master Plan as being “[a] local crossroads typically within, or next to, larger residential areas that offers goods and services to nearby residents, employees, and visitors.” Nodes are generally places in Richmond that, per the Master Plan, should “accommodate additional growth in jobs and population,” (p. 24).

Proposal

PURPOSE OF REQUEST

The SUP would authorize the construction of a 52-unit multifamily dwelling. The R-6 zoning does not permit the proposed use. Therefore, a SUP is required.

PROJECT DETAILS

The proposal consists of a high-quality multifamily residential development and associated amenities, including parking. Fifty-two (52) dwelling units are proposed, which would be accompanied by 52 off-street parking spaces.

Building and Site Design

In the surrounding Six Points neighborhood, larger buildings are not uncommon at significant intersections of north-south streets with Brookland Park Boulevard. These include the converted school building at 1221 East Brookland Park Boulevard, the church at 3001 Second Avenue, and the institutional buildings at 3001 Fifth Avenue, which all exist respectfully in the context of adjacent smaller-scale residential uses. The proposed building is designed to do the same.

The building would be three stories in height and would be sited with a shotgun configuration. The building would be “L-shaped”, with its longest façade facing the unimproved Fifth Street frontage where it would be visually screened by existing vegetation. The primary façade facing Rady Street would be articulated in order to address the diagonal property line along the frontage. As a result, the building would conform to the underlying R-6 district maximum height requirement of 35 feet and would have a varied street wall plane along the improved street frontage.

The building massing is intended to be human scale with landscaping, front porches and street-level unit entries along Rady Street. Building façade articulation and colors vary along the street wall plane in order to create interest. The building façade fenestration allows for adequate distribution of windows and architectural features in order to create visual appeal. Durable materials including fiber cement siding would create a lasting addition to the built environment.

The site layout responds to the existing natural and built environment. Fifth Avenue would remain in its unimproved and undisturbed condition and would be preserved as an amenity of sorts. A majority of dwelling units would have private balconies overlooking this area. The remaining units would have private balconies facing Rady Street.

The site has been carefully designed in order to ensure the provision of adequate parking while limiting its impact. Parking would be located to the rear of the building's Rady Frontage and would not be visible from the right-of-way. Access to the parking would be via an existing 20' north-south alley with 18 spaces configured perpendicular to the alley. The remaining 34 spaces would be below alley grade, accessed by ramp, and would lie partially beneath the proposed building.

Dwelling Units

The 52 dwelling units would be comprised of 35 one-bedroom, one-bathroom units and 17 two-bedroom, two-bathroom units. One-bedroom units would range in size from 663 to 821 square feet in floor area, and two-bedroom units would range between 886 and 915 square feet.

The dwelling units would be desirable in the market with modern, efficient and very livable layouts. The proposed layouts would provide for large open living areas and ample windows to allow for light and air. Kitchens are integrated into the living area as a part of the open design and are typically arranged with islands to allow for an eating area or additional working surface. Circulation in the units is handled within the living areas and the absence of hallways maximizes the usable floor area. The sense of space is extended further with the provision of exterior balconies for all 52 units. Bedrooms are large and are typically configured with walk-in closets.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed SUP for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The redevelopment of this underutilized Property in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The Property is located at the intersection of two Major Mixed-Use Streets, which are defined by the Master Plan as having the capacity to "carry high volumes of vehicles, pedestrians, and bicycles through residential neighborhoods..." Relying upon the existing alley for primary access rather than introducing new entrances

onto Rady Street or East Brookland Park Boulevard would mitigate vehicular conflict. The limited traffic generation and the provision of off-street parking spaces at the most restrictive zoning standard for "number of spaces required" for dwellings would create no congestion on streets, roads, alleys or any other public right of way.

In addition, the Property is within one or two blocks of two different bus corridors, one of which (the "3" routes along Fourth Avenue) offers a high-frequency 15-minute service and the other (the "20" orbital route along East Brookland Park Boulevard) offers a 30-minute frequency. Because of that, the Property is within a 30-minute bus commute to Downtown, Manchester, VCU, Scott's Addition, the Fan, the Museum District, and Carytown.

As such, the SUP will not create congestion on streets, roads, alleys, or any other public right of way.

- ***Create hazards from fire, panic or other dangers.***

The SUP will not create hazard from fire, panic or other dangers. The Property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed SUP will not tend to over crowd the land or create an undue concentration of population. The project density is appropriate given the context of nearby commercial uses and recent special use permit approvals in the immediate vicinity.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences, and improvements.***

The SUP would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be adversely affected. The proposed building would be appropriately separated from nearby properties, and adhere to the 35-foot maximum height requirement otherwise applicable in the R-6 district, as well as other relevant setback requirements. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

Summary

In summary, the applicant is enthusiastically seeking approval for the construction of a high quality multifamily residential development, including 52 dwelling units and 52 parking spaces. The proposal is an appropriate use of the Property given its unique context and adjacency to a commercial node. The SUP is needed in order to allow an efficient use of the Property while achieving compliance with many of the recommendations of the Richmond 300 Master Plan.